

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/10/2009 has been entered.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with POLITO, BRUNO Reg. No. 38580 (ATTNY) on 09/02/2009.

3. The application has been amended as follows: followed amendments to specification and claims separately.

#### **In the Specification**

4. On page 6 of the specification, hyper link "<http://www.zeroconf.org>" must be removed.

**In the Claims**

5. **Regarding claim 16, (currently amended)** A data communication method for performing data communication via a communication medium, comprising:

Using a processor to perform a connection designation step of designating network connection for user operation and release of user operation against a user interface of an apparatus;

timing information storing step of storing timing information related to said user operation and release of user operation of said connection designation step; and

searching step of searching over said communication medium and specifying as a communication counterpart an apparatus sharing timing information related to said user operation and said release of user operation,

whereby a data communication path between the apparatus and the counterpart apparatus is established when the timing of a user performing a manual operation on the apparatus or on a peripheral device associated with the apparatus corresponds to the timing of a user performing a manual operation on the counterpart apparatus or on a peripheral device associated with the counterpart apparatus, said communication path being established regardless of whether or not there is synchronization between the apparatus, or a peripheral device associated with the apparatus, and the counterpart apparatus, or a peripheral device associated with the counterpart apparatus,

the manual operation comprising operating a key or button that is assigned the function of establishing the communication path and at least one other function.

**Regarding claim 17, (currently amended)** A method of establishing connection between information apparatuses, comprising:

Using a processor to perform a first acquisition step of acquiring a first time difference comprising a difference between a first time on which a first physical operation is carried out on an operation section utilized for operation of a first information apparatus and a second time on which a second physical operation is carried out on said operation section;

second acquisition step of acquiring a second time difference comprising a difference between a third time corresponding to said first time and generated on a second information apparatus, and a fourth time corresponding to said second time; and

connection establishing step of establishing connection between said first and said second information apparatuses based on said first and said second time differences; wherein

said first and said second physical operations comprise a series of operations performed against said operation section,

whereby a data communication path between the first information apparatus and the second information apparatus is established when the timing of a user performing a manual operation on the first information apparatus or on a peripheral device associated with the first information apparatus corresponds to the timing of a user performing a manual operation on the second information apparatus or on a peripheral device associated with the second information apparatus, said communication path being established regardless of whether or not there is synchronization between the first

information apparatus, or a peripheral device associated with the first information apparatus, and the second information apparatus, or a peripheral device associated with the second information apparatus,

the manual operation comprising operating a key or button that is assigned the function of establishing the communication path and at least one other function.

**Regarding claim 19, (currently amended)** A method of establishing connection between information apparatuses, comprising:

Using a processor to perform a first acquisition step of acquiring a first time on which a first physical operation is carried out on an operation section utilized for operation of a first information apparatus;

second acquisition step of acquiring a second time on which a second physical operation is carried out on said operation section;

third acquisition step of acquiring a third time and a fourth time corresponding to said first time and said second time, and generated on a second information apparatus; and

connection establishing step of establishing connection between said first and said second information apparatuses based on said first to fourth times; wherein

said first and said second physical operations comprise a series of operations performed against said operation section,

whereby a data communication path between the first information apparatus and the second information apparatus is established when the timing of a user performing a manual operation on the first information apparatus or on a peripheral device associated

with the first information apparatus corresponds to the timing of a user performing a manual operation on the second information apparatus or on a peripheral device associated with the second information apparatus, said communication path being established regardless of whether or not there is synchronization between the first information apparatus, or a peripheral device associated with the first information apparatus, and the second information apparatus, or a peripheral device associated with the second information apparatus,

the manual operation comprising operating a key or button that is assigned the function of establishing the communication path and at least one other function.

**Claim 21, (Cancelled)**

**Regarding Claim 22, (currently amended)** A computer program written in a computer-readable ~~form~~ medium for making a computer execute a process of establishing connections between information apparatuses, the process comprising:

first acquisition step of acquiring a first time difference comprising a difference between a first time on which a first physical operation is carried out on an operation section installed on an apparatus and a second time on which a second physical operation is carried out on said operation section;

a second acquisition step of acquiring a second time difference comprising a difference between a third time corresponding to said first time and generated on an information apparatus constituting a connection counterpart, and a fourth time corresponding to said second time; and

connection establishing step of establishing connection between said first and said second information apparatuses based on said first and said second time differences; wherein

said first and said second physical operations comprise a series of operations carried out against said operation sections,

whereby a data communication path between the apparatus and the counterpart apparatus is established when the timing of a user performing a manual operation on the apparatus or on a peripheral device associated with the apparatus corresponds to the timing of a user performing a manual operation on the counterpart apparatus or on a peripheral device associated with the counterpart apparatus, said communication path being established regardless of whether or not there is synchronization between the apparatus, or a peripheral device associated with the apparatus, and the counterpart apparatus, or a peripheral device associated with the counterpart apparatus;

the manual operation comprising operating a key or button that is assigned the function of establishing the communication path and at least one other function.

### ***Response to Arguments***

6. Applicant's arguments, see pages 16 and 17, filed 08/10/2009, with respect to claims 1-20, 22 and 23 have been fully considered and are persuasive. The rejection of claims 1-20, 22 and 23 have been withdrawn.

### ***Allowable Subject Matter***

7. Claims 1-20, 22, and 23 are allowed.
8. The following is an examiner's statement of reasons for allowance: Amended claims 1-20, 22, and 23 are allowable over prior art since none of the prior art taken individually or in combination fails to particularly disclose, fairly suggests, or render obvious as argued by the applicant which examiner considers as persuasive as set forth above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIMA MAHMOUDZADEH whose telephone number is (571)270-3527. The examiner can normally be reached on Monday - Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag G. Shah can be reached on (571) 272-3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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